

**INTERNATIONAL STANDARDS FOR
PHYTOSANITARY MEASURES**

***RECOGNITION OF PEST FREE AREAS AND AREAS OF LOW
PEST PREVALENCE***

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INTRODUCTION

SCOPE

This standard provides guidance for the recognition process for pest free areas and areas of low pest prevalence. It describes a procedure for the bilateral recognition of such areas. This standard does not include specified timelines for the recognition procedure.

Pest free places of production and pest free production sites usually should not require a formal recognition process and, therefore, this is not specifically addressed in this standard.

REFERENCES

Agreement on the Application of Sanitary and Phytosanitary Measures, 1994. World Trade Organization, Geneva.

Determination of pest status in an area, 1998. ISPM No. 8, FAO, Rome.

Glossary of phytosanitary terms, 2005. ISPM No. 5, FAO, Rome.

Guidelines for a phytosanitary import regulatory system, 2004. ISPM No. 20, FAO, Rome.

Guidelines for pest eradication programmes, 1998. ISPM No. 9, FAO, Rome.

Guidelines for phytosanitary certificates, 2001. ISPM No. 12, FAO, Rome.

Guidelines for surveillance, 1997. ISPM No. 6, FAO, Rome.

Guidelines for the determination and recognition of equivalence of phytosanitary measures, 2005. ISPM No. 24, FAO, Rome.

Guidelines for the notification of non-compliance and emergency action, 2001. ISPM No. 13, FAO, Rome.

International Plant Protection Convention, 1997. FAO, Rome.

Pest reporting, 2002. ISPM No. 17, FAO, Rome.

Phytosanitary principles for the protection of plants and the application of phytosanitary measures in international trade, 2006. ISPM No. 1, FAO, Rome.

Requirements for the establishment of areas of low pest prevalence, 2005. ISPM No. 22, FAO, Rome.

Requirements for the establishment of pest free areas, 1996. ISPM No. 4, FAO, Rome.

Requirements for the establishment of pest free places of production and pest free production sites, 1999. ISPM No. 10, FAO, Rome.

The use of integrated measures in a systems approach for pest risk management, 2002. ISPM No. 14, FAO, Rome.

DEFINITIONS

Definitions of phytosanitary terms used in the present standard can be found in ISPM No. 5 (*Glossary of phytosanitary terms*).

OUTLINE OF REQUIREMENTS

Recognition of pest free areas (PFAs) and areas of low pest prevalence (ALPPs) is a technical and administrative process to reach acceptance of the phytosanitary status of a delimited area. Recognition of PFAs and ALPPs is addressed to some extent in several International Standards for Phytosanitary Measures (ISPMs). In addition, many principles of the International Plant Protection Convention (IPPC, 1997) are relevant.

Contracting parties to the IPPC should proceed with a recognition process without undue delay. The process should be applied without discrimination between contracting parties. Contracting parties should endeavour to maintain transparency in all aspects of recognition.

Where the PFA status can easily be determined, a formal process may not be required. In others cases, such as in areas where eradication of a pest has recently been achieved, more detailed information and verification may be required. For these cases a procedure is recommended for contracting parties to initiate and complete recognition of PFAs and ALPPs. This procedure includes the following steps for the contracting parties: request recognition; acknowledgement of receipt of the request and the accompanying information package; description of the process; assessment of the information provided; communicating the results of assessment; provision of official recognition.

Both exporting and importing contracting parties have specific responsibilities relating to the recognition of PFAs and ALPPs.

The recognition process should be sufficiently documented by contracting parties.

Some information on arrangements for recognition of pest free places of production and pest free sites of production are also provided.

BACKGROUND

Exporting contracting parties may establish PFAs or ALPPs, among other reasons, in order to gain, maintain or improve market access. In any of these cases, where PFAs or ALPPs are established in accordance with the relevant ISPMs, recognition of such areas without undue delay is very important to exporting contracting parties.

Importing contracting parties, in meeting their appropriate level of protection and in accordance with requirements for technical justification, may consider PFAs or ALPPs (possibly as part of a systems approach) as effective phytosanitary measures. Therefore, it is also very much in the interests of the importing country to provide prompt recognition of such areas where they are established in accordance with the relevant ISPMs.

In relation to the recognition of PFAs and ALPPs, the IPPC (1997) establishes that:

“The responsibilities of an official national plant protection organization shall include ... the designation, maintenance and surveillance of pest free areas and areas of low pest prevalence” (Article IV.2e);

“Contracting parties shall, as conditions change, and as new facts become available, ensure that phytosanitary measures are promptly modified or removed if found to be unnecessary.” (Article VII.2h);

“The contracting parties shall cooperate with one another to the fullest practicable extent in achieving the aims of this Convention ...” (Article VIII).

The Interim Commission on Phytosanitary Measures in 2005 indicated that guidance was required in the form of an ISPM specifically relating to recognition of such areas.

Article 6 of the World Trade Organization’s Agreement on the Application of Sanitary and Phytosanitary Measures, “Adaptation to Regional Conditions, Including Pest- or Disease-Free Areas and Areas of Low Pest or Disease Prevalence”, addresses the issue of recognition of pest free areas (PFAs) and areas of low pest prevalence (ALPPs).

Several ISPMs address the establishment of PFAs and ALPPs, and related issues, as described in section 1 of this standard. Furthermore, various ISPMs that are currently under development provide guidance on establishing PFAs and ALPPs for specific regulated pests or groups of these pests.

REQUIREMENTS

1. General Considerations

Of the ISPMs that have been approved, some relate directly to the technical requirements for PFAs and ALPPs, and others may apply to the recognition of such areas, as follows.

ISPM No. 1 (*Phytosanitary principles for the protection of plants and the application of phytosanitary measures in international trade*) advises contracting parties to ensure that their phytosanitary measures concerning consignments moving into their territories take into account the status of areas such as PFAs, ALPPs, pest free production sites or pest free places of production, as designated by the NPPOs of the exporting countries (section 2.3 of ISPM No. 1, 2006).

ISPM No. 4 (*Requirements for the establishment of pest free areas*):

- suggests that it may be useful for an NPPO to send documentation about a PFA to a central information service (FAO or a Regional Plant Protection Organization), so that the information can be communicated to all interested NPPOs at their request (section 1.3 of ISPM No. 4)
- points out that, since certain PFAs are likely to involve an agreement between trade partners, their implementation would need to be reviewed and evaluated by the NPPO of the importing country (section 2.3.4 of ISPM No. 4).

ISPM No. 6 (*Guidelines for surveillance*) indicates that general surveillance will most often be used to support NPPO declarations of pest freedom (section 1.3 of ISPM No. 6).

ISPM No. 8 (*Determination of pest status in an area*) states that when a PFA is established, the phrase “Pest free area declared” should be added to relevant pest records (section 3.1.2 of ISPM No. 8).

ISPM No. 9 (*Guidelines for pest eradication programmes*) indicates that, where survey data provides the basis for establishing a PFA for export purposes, it may be desirable to consult trading partners in advance to determine the quantity and quality of data necessary to meet their phytosanitary requirements (section 2.3.2 of ISPM No. 9).

ISPM No. 12 (*Guidelines for phytosanitary certificates*) provides that contracting parties may require that “pest free area”, “pest free place of production,” or “pest free production site” be identified in sufficient detail in the “place of origin” section of a phytosanitary certificate (section 2.1 of ISPM No. 12).

ISPM No. 17 (*Pest reporting*) suggests that the reporting procedure may also be used by countries to report that all or part of their territory has been categorized as a PFA (section 4.3 of ISPM No. 17) where this constitutes a change in the pest status in that area (section 5.5).

ISPM No. 20 (*Guidelines for a phytosanitary import regulatory system*) states that import regulations should recognize the existence of PFAs, ALPPs, pest free places of production and pest free production sites within the countries of exporting contracting parties, and that it may be necessary to make provision within regulatory systems to evaluate and accept the designations by NPPOs of exporting countries, and to respond accordingly (section 4.2.1.2 of ISPM No. 20).

ISPM No. 22 (*Requirements for the establishment of areas of low pest prevalence*) describes the requirements and procedures for the establishment of ALPPs for regulated pests in an area and, to facilitate export, for pests regulated by an importing country only. This includes the identification, verification, maintenance and use of those ALPPs.

2. General Principles

2.1 Sovereign authority

Contracting parties have sovereign authority, in accordance with applicable international agreements, to apply phytosanitary measures to protect plant health within their territories and to determine their appropriate level of protection to plant health. A contracting party has sovereign authority to regulate the entry of plants, plant products and other regulated articles (Article VII.1 of the IPPC, 1997). Therefore a contracting party has the right to make decisions relating to recognition of PFAs and ALPPs. In order to promote cooperation, an importing contracting party should consider requests for recognition of PFAs and ALPPs.

2.2 Other relevant principles of the IPPC and its ISPMs

In recognizing PFAs and ALPPs, contracting parties should take into account the following rights and obligations held by contracting parties, and principles of the IPPC:

- minimal impact (Article VII.2g of the IPPC, 1997)
- modification (Article VII.2h of the IPPC, 1997)
- transparency (Articles VII.2b, 2c, 2i and VIII.1a of the IPPC, 1997)
- harmonization (Article X.4 of the IPPC, 1997)
- risk analysis (Articles II and VI.1b of the IPPC, 1997)
- managed risk (Article VII.2a and 2g of the IPPC, 1997)
- non-discrimination (Article VI.1a of the IPPC, 1997)
- cooperation (Article VIII of the IPPC, 1997)
- equivalence (ISPM No. 1 and 24).

2.3 Non-discrimination in the recognition of pest free areas and areas of low pest prevalence

In recognizing PFAs and ALPPs, the systems and processes used by the importing contracting party for assessing such requests from different exporting contracting parties should be objective, transparent and equally applied.

2.4 Undue delay

Contracting parties should endeavour to recognize PFAs and ALPPs, and to resolve any disagreements related to recognition, without undue delay.

Where an exporting contracting party resubmits a request for recognition of a PFA or ALPP (e.g. if further data is acquired, or new or additional procedures are implemented), the importing contracting party should take into consideration all information previously provided. If resubmission is because of a previous rejection of a request for recognition, any relevant details in the corresponding explanation of technical justification related to the previous assessment should also be taken into consideration. The assessment should be completed, as quickly as possible, by focusing on the revised or supplemental information and/or data provided, if appropriate.

2.5 Transparency

Updates on progress between the parties should be provided as appropriate, or on request, so that the recognition process is conducted in an open and transparent manner.

Any change in the status of the pest in the area under consideration, or in the importing contracting party's territory, relevant to recognition should be communicated appropriately and promptly as required by the IPPC (Article VIII.1a) and relevant ISPMs (e.g. ISPM No. 17: *Pest reporting*).

To improve transparency, contracting parties are encouraged to make decisions on the recognition of PFAs and ALPPs available through the International Phytosanitary Portal. Where appropriate, the same approach may be used for pest free places of production and pest free production sites.

3. Requirements for the Recognition of Pest Free Areas and Areas of Low Pest Prevalence

When establishing PFAs or ALPPs, NPPOs should take into account:

- the appropriate ISPMs that provide technical guidance, i.e. ISPM No. 4 (*Requirements for the establishment of pest free areas*) for PFAs and ISPM No. 22 (*Requirements for the establishment of areas of low pest prevalence*) for ALPPs;
- other technical guidance that may be developed on establishment of PFAs or ALPPs for specific regulated pests or groups of these pests.

The importing contracting party remains responsible for determining what type and how much information will be required in order to recognize a PFA or ALPP, depending on the type of area and its geography, the way the pest free or low pest status of the area has been established, the contracting party's appropriate level of protection, and other factors for which technical justifications exist.

Where the PFA status can easily be determined, for example areas where no pest records exist and long term absence of the pest is known, or absence is confirmed by surveillance, a formal process may not be required or very little supporting information may be required. In such cases, absence should be recognized according to the first paragraph of section 3.1.2 of ISPM No. 8 (*Determination of pest status in an area*) without recourse to detailed information or elaborate procedures.

In other cases, such as in areas where eradication of a pest has recently been achieved, more detailed information and verification may be required, including components as described in section 4.1.

3.1 Responsibilities of contracting parties

The exporting contracting party is responsible for:

- requesting recognition of a PFA or ALPP
- providing the information on the PFA or ALPP
- designating a point of contact
- providing appropriate additional information if required
- cooperating in providing access for on-site verifications, if necessary.

The importing contracting party is responsible for:

- acknowledging receipt of the request and the associated information
- describing the process to be used for the recognition process
- designating a point of contact
- technically assessing the information
- communicating, justifying and cooperating on the need for and organization of on-site verifications, if necessary

- communicating the results of the assessment to the exporting contracting party and:
 - if the area is recognized, promptly modifying any phytosanitary regulations, as appropriate;
 - if the area is not recognized, providing an explanation to the exporting contracting party.

Importing contracting parties should limit any information or data requests associated with an assessment of recognition to those which are necessary.

3.2 Documentation requirements

The whole process from initial request to final decision should be sufficiently documented by contracting parties so that, when a review or a dispute arises, the sources of information and rationale used in reaching the decision can be clearly demonstrated.

4. Procedure for the Recognition of Pest Free Areas and Areas of Low Pest Prevalence

The steps described below are recommended in order to recognize PFAs and ALPPs. However, as mentioned in point 3, in areas where no pest records exist and long term absence of the pest is known, or absence is confirmed by surveillance, very little supporting information may be required. In such cases, absence should be recognized according to the first paragraph of section 3.1.2 of ISPM No. 8 (*Determination of pest status in an area*) without recourse to detailed information or elaborate procedures.

Normally, the exporting contracting party may wish to consult with the importing contracting party before submitting a request with the aim of facilitating the recognition process.

Contracting parties may base their assessments (see section 4.4) on quantitative or qualitative information, or a combination of both.

A flow chart outlining the following steps is provided in Appendix 1. Recommended steps proceed as described from section 4.1 to section 4.6.

4.1 Request for recognition by the NPPO of the exporting contracting party

The exporting contracting party communicates its interest in gaining recognition of a PFA or ALPP to an importing contracting party. To support its request, the exporting contracting party provides a technical information package based on ISPM No. 4 (*Requirements for the establishment of pest free areas*) or ISPM No. 22 (*Requirements for the establishment of areas of low pest prevalence*) as appropriate. This information package should be sufficiently detailed to demonstrate objectively that the areas are, and are likely to remain, PFAs or ALPPs, as appropriate. The package may include the following information:

- the type of recognition requested, i.e. either a PFA or an ALPP
- location and description of the area to be recognized, with supporting maps, as appropriate
- pest(s) under consideration and biology(ies) and known distribution relevant to the area (as described in ISPM No. 4 or ISPM No. 22 as appropriate)
- commodity(ies) or other regulated article(s) to be exported
- phytosanitary measures and procedures applied for the establishment of the PFA or ALPP, and results of these measures
- phytosanitary measures and procedures applied to maintain the PFA or ALPP, and results of these measures
- copies of any relevant phytosanitary regulations relating to the proposed PFA or ALPP
- record-keeping arrangements relating to the area, in accordance with the appropriate standards (note: all current ISPMs with provisions relating to recognition of PFAs and ALPPs are indicated in section 1)
- relevant information directly related to the request for recognition on the structure of and resources available to the NPPO of the exporting country
- a description of any corrective action plan that exists
- other relevant information (e.g. recognition of the area in question by other contracting parties, and possible systems approaches relating to ALPPs).

The exporting contracting party should designate a point of contact for communication relating to the request for recognition.

Appendix 2 provides an example of a model form for requesting recognition of PFAs or ALPPs.

4.2 Acknowledgement by the importing contracting party of receipt of the information package and indication of its completeness for assessment purposes

The NPPO of the importing contracting party should promptly acknowledge receipt of the request for recognition and of the accompanying information package to the NPPO of the exporting contracting party. Before commencing the assessment, the importing contracting party should identify and communicate to the NPPO of the exporting contracting party if any significant component of the information package is missing, or if other significant information may be needed to assess the request.

The NPPO of the exporting contracting party submits to the NPPO of the importing contracting party any missing information, or identifies the location within the submitted package in which the required information may already be found, or may provide an explanation for its absence.

4.3 Description of assessment process to be used by the importing contracting party

The importing contracting party describes the process intended to be used in assessing the information package and in subsequently recognizing the PFA or ALPP, including any necessary legislative or administrative steps or requirements that will need to be completed. The importing contracting party designates a point of contact for communications relating to the request for recognition. Furthermore, the importing contracting party is encouraged to establish a provisional timetable for completion of the recognition process.

4.4 Assessment of the technical information

Once all the information has been received, the NPPO of the importing contracting party technically assesses the information package, taking into account:

- provisions of the relevant ISPMs that specifically address either PFAs (ISPM No. 4: *Requirements for the establishment of pest free areas*) or ALPPs (ISPM No. 22: *Requirements for the establishment of areas of low pest prevalence*), including the following information:
 - systems used to establish the PFA or ALPP
 - phytosanitary measures to maintain the PFA or ALPP
 - checks to verify that the PFA or ALPP has been maintained
- other relevant ISPMs (as described in section 1) depending on the type of recognition requested
- any relevant ISPMs being developed that provide pest-specific technical guidance on establishing PFAs and ALPPs for specific pests or groups of pests
- status of the pest in the territories of both contracting parties.

PFAs or ALPPs recognized by a third country may be considered as reference for the assessment process.

Clarification of the information provided may be required or additional information may be requested by the importing contracting party in order to complete the assessment. The exporting contracting party should respond to technical concerns raised by the importing contracting party by providing relevant information to facilitate completion of the assessment.

If technically justified, on-site verification or on-site review of operational procedures may be required, based on, for example, the results of the ongoing assessment, records of previous trade between the two parties, or previous recognition of areas between the two parties or by other parties. The schedule, agenda and content of the on-site verification or review should be agreed bilaterally, and access provided as necessary.

The assessment should be completed without undue delay. If at any stage progress is not proceeding in accordance with the provisional timetable, the exporting contracting party should be notified,

reasons provided and, if appropriate, a new timetable prepared and provided by the importing contracting party to the exporting contracting party.

The exporting contracting party may request cancellation or postponement of the assessment at any time. If the pest status or phytosanitary regulations change in the importing country, recognition of the PFA or ALPP may no longer be required and the assessment process may stop.

4.5 Notification of results of assessment

Upon completion of the assessment, the importing contracting party notifies the exporting contracting party of the results of its assessment and, if the proposed PFA or ALPP will not be recognized, provides an explanation, with technical justification if requested, for this determination.

In the event of a disagreement related to the rejection of a request for recognition of a PFA or ALPP, efforts should be made bilaterally to resolve these disagreements in the first instance.

4.6 Official recognition

If the PFA or ALPP is recognized by the importing contracting party, this is communicated to the exporting contracting party, clearly confirming the type of area recognized and identifying the relevant pest(s) for which such recognition applies. And where appropriate, amendment of the phytosanitary import requirements and any associated procedures of the importing contracting party should be made promptly. In accordance with Article VII.2b of the IPPC (1997): *“Contracting parties shall, immediately upon their adoption, publish and transmit phytosanitary requirements, restrictions and prohibitions to any contracting party or parties that they believe may be directly affected by such measures.”*

4.7 Duration of recognition

Recognition of a PFA or ALPP should remain in effect unless:

- there is a change in pest status in the area concerned and it is no longer a pest free area or area of low pest prevalence.
- there are significant instances of non-compliance (as described in ISPM No. 13: *Guidelines for the notification of non-compliance and emergency action*, ISPM No. 4: *Requirements for the establishment of pest free areas* and ISPM No. 22: *Requirements for the establishment of areas of low pest prevalence*) related to the areas in question noted by the importing contracting party, or any other evidence of non-compliance in relation to the area.

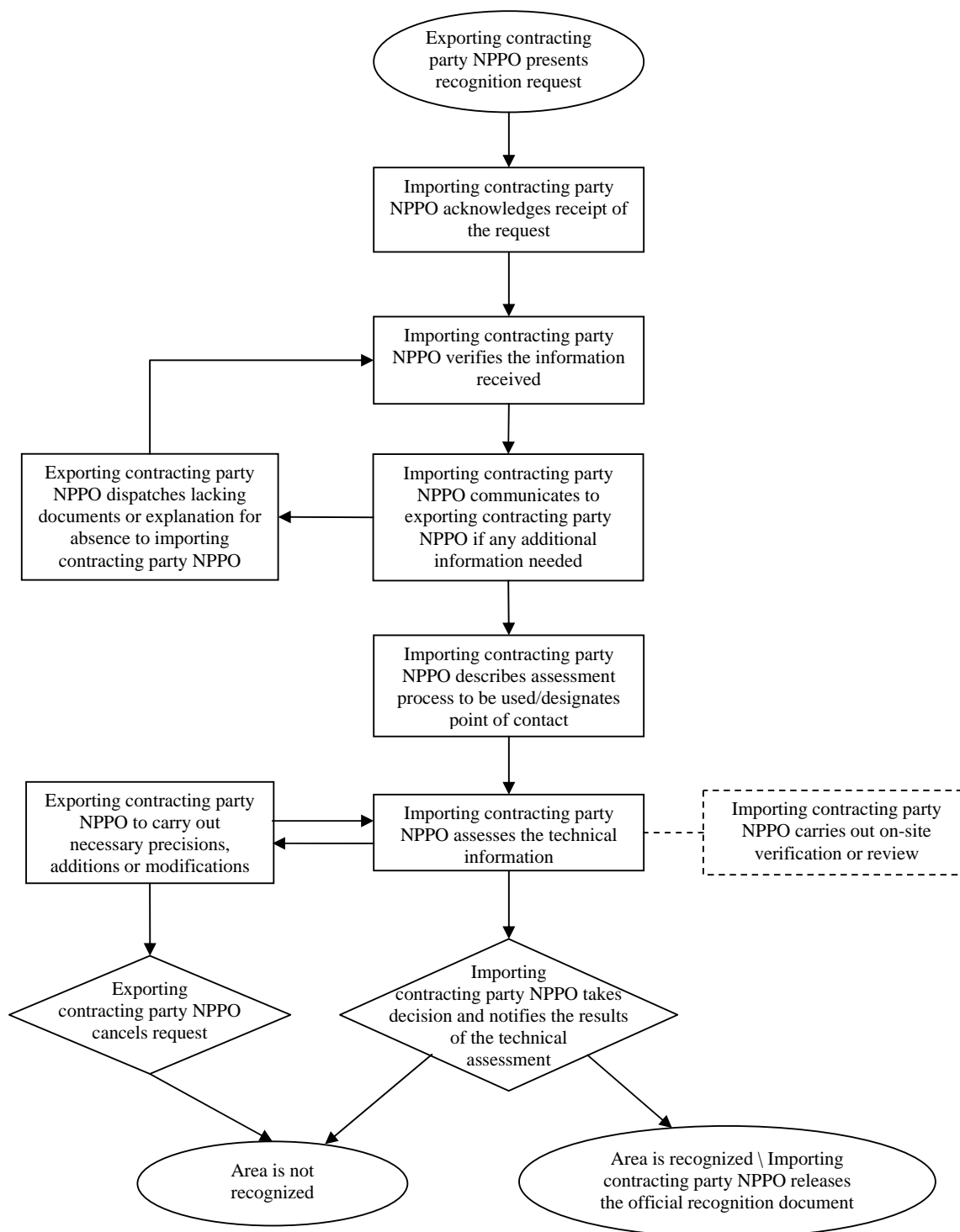
5. Arrangements for Recognition of Pest Free Places of Production and Pest Free Production Sites

Recognition of pest free places of production and pest free production sites should not have to follow the procedures described above (section 4). ISPM No. 10 (*Requirements for the establishment of pest free places of production and pest free production sites*) confirms that, for recognition of such places and sites, the issuance of a phytosanitary certificate for a consignment by the NPPO is sufficient to confirm that the requirements for a pest free place of production or a pest free production site have been fulfilled. The importing contracting party may require an appropriate additional declaration on the phytosanitary certificate to this effect (section 3.2 of ISPM No. 10).

ISPM No. 10 also indicates that the NPPO of the exporting country should, on request, make available to the NPPO of the importing country the rationale for establishment and maintenance of pest free places of production or pest free production sites, and that the NPPO of the exporting country should provide information concerning establishment or withdrawal of pest free places of production or pest free production sites to the NPPO of the importing country (section 3.3 of ISPM No. 10).

As described in ISPM No. 10: *“When complex measures are needed to establish and maintain a pest free place of production or pest free production site, because the pest concerned requires a high degree of phytosanitary security, an operational plan may be needed. Where appropriate, such a plan would be based on bilateral agreements or arrangements listing specific details required in the operation of the system including the role and responsibilities of the producer and trader(s) involved”*. In such cases recognition may be based on the procedure recommended in section 4 of this standard or another bilaterally agreed procedure.

**FLOW CHART OUTLINING THE PROCEDURE FOR THE RECOGNITION OF PEST FREE
AREAS OR AREAS OF LOW PEST PREVALENCE¹**



¹ This appendix is not an official part of the standard. It is provided for information only and is not a prescriptive part of the standard.

**INFORMATION REQUIRED FOR A REQUEST OF RECOGNITION OF PEST FREE AREAS OR
AREAS OF LOW PEST PREVALENCE²**

Name of NPPO and exporting country:

Name of designated contact:

Complete address:

E-mail:

Phone:

Fax:

Name of NPPO and importing country:

Type of recognition requested (PFA or ALPP):

Pest(s) under consideration:

Commodity(ies) or other regulated article(s):

Location of the area:

List of attached documents^{*}:

Date: / /
(day) (month) (year)

Signature on behalf of exporting country NPPO:

^{*} As described in section 4.1 of this standard.

² This appendix is not an official part of the standard. It is provided for information only.